

### **REMARKS**

The final office action of April 9, 2007 (the Office Action) has been reviewed and these remarks are responsive thereto. Claims 14-27, 37-40 and 47-48 are pending in the application. By this amendment, claims 1-4, 6, 9-13, 28-36 and 40-46 have been cancelled without prejudice or disclaimer, claims 14, 17, 19-27 and 37-40 have been amended, and new claims 47-48 have been added. Support for the claim amendments and new claims can be found in the application as originally filed. Reconsideration and allowance of the application are respectfully requested.

Claims 1, 6 and 9-43 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. patent no. 6,058,379 to Odom et al. (Odom) in view of U.S. publication no. 2002/0049833 to Kikinis (Kikinis), further in view of U.S. patent no. 6,110,041 to Walker et al. (Walker), and further in view of U.S. patent no. 6,222,520 B1 to Gerszberg et al. (Gerszberg).

Claim 2 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Odom, Kikinis, Walker, Gerszberg and U.S. patent no. 5,764,913 to Jancke et al. (Jancke).

Claim 3 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Odom, Kikinis, Walker, Gerszberg and U.S. patent no. 6,712,702 B2 to Goldberg et al. (Goldberg).

Claim 4 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Odom, Kikinis, Walker, Gerszberg and U.S. patent no. 5,848,396 to Gerace (Gerace).

Claim 44 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Odom, Kikinis, Walker, Gerszberg and U.S. patent no. 5,762,552 to Vuong et al. (Vuong).

Claims 1-4, 6, 9-13, 28-36 and 40-46 have been cancelled. Thus, remaining claims 14-27, 37-40 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Odom in view of Kikinis, further in view of Walker, and further in view of Gerszberg.

Reconsideration and allowance of claims 14-27 and 37-40, and consideration and allowance of new claims 47 and 48, are respectfully requested.

Independent claim 14 recites, among other features, the following:

recognizing transmission and reception capabilities of said first client device with said server and of said second client device with said server;

configuring said real-time interactive content according to said transmission and reception capabilities of said first and second client devices with said server to ensure said first and second client devices each have an adequate window to respond to the real-time interactive content;

... ; and  
simultaneously transferring said configured real-time interactive content  
and said pertinent information to said first and second client devices.

Emphasis added. Independent claim 19 and new independent claim 47 recite similar subject matter. Applicant respectfully submits that at least this subject matter is not taught or suggested by the prior art of record.

Odom discloses a real-time network exchange method that fails to disclose any teachings pertaining to configuring real-time interactive content according to the transmission and reception capabilities of devices with a server to ensure the devices each have an adequate window to respond to the real-time interactive content. Neither Kikinis, Walker, nor Gerszberg overcome this deficiency of Odom, nor were they relied upon to do so.

Accordingly, Applicants respectfully submit that independent claims 14, 19 and 47, as well as claims 15-18, 20-27, 37-40 and 48, are allowable over the prior art of record.

### **CONCLUSION**

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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By: /Anthony W. Kandare/  
Anthony W. Kandare, reg. no. 48,830

1100 13<sup>th</sup> Street, N.W.  
Washington, D.C. 20005-4051  
Tel: (202) 824-3000  
Fax: (202) 824-3001